

same may be summarily destroyed by any person authorised in that behalf in writing by the commissioner.

356. Licences for places in which animals are kept.—

(1) The owner or occupier of any stable, veterinary infirmary, stand, shed, yard or other place in which quadrupeds are kept or taken in for purposes of profit, shall, in the first month of every year or, in the case of a place to be newly opened, within one month before the opening of such place, apply to the commissioner for a licence.

(2) The commissioner may, by an order and under such restrictions and regulations as he thinks fit, grant or refuse to grant such licence.

(3) No person shall, without or otherwise than in conformity with a licence, use any place or allow any place to be used for any such purpose.

357. General powers of control over stables, cattle-sheds and cow-houses.—(1) All stables, cattle-sheds and cow-houses shall be under the survey and control of the commissioner as regards their site, construction, material and dimensions.

(2) The commissioner may, by notice, require that any stable, cattle-shed or cow-house be altered, paved, drained, repaired, disinfected or kept in such a state as to admit of its being sufficiently cleaned or be supplied with water, or be connected with a sewer, or be demolished.

(3) Every such notice shall be addressed to the owner or person having control of the stable, cattle-shed or cow-house.

(4) The expense of executing any work in pursuance of any such notice shall be borne by the owner.

(5) If any stable, cattle-shed or cow-house is not constructed or maintained in the manner required by or

under this Act, the commissioner may, by notice, direct that the same shall no longer be used as a stable, cattle-shed or cow-house. Every such notice shall state the grounds on which it proceeds.

358. Provision of halting places, cart-stands, etc.—

(1) The commissioner may construct or provide public halting places, cart-stands, cattle-sheds and cow-houses and may charge and levy such fees for the use of the same as the standing committee may fix.

Explanation.—A cart-stand shall, for the purposes of this Act, include a stand for carriages including motor vehicles within the meaning of the Karnataka Motor Vehicles Act, 1939 (Central Act IV of 1939) and animals.

(2) A statement of the fees fixed by the standing committee for the use of each such place, shall be put up in Kannada and English in a conspicuous part thereof.

(3) The commissioner may farm out the collection of such fees for any period not exceeding three years at a time on such terms and conditions as he may think fit.

359. Prohibition of use of public places or sides of public street as cart-stand, etc.—Where the commissioner has provided a public halting place, cart-stand, cattle-shed or cow-house, he may prohibit the use for the same purpose by any person within such distance thereof as may be determined by the standing committee of any public place or the sides of any public street.

360. Recovery of cart-stand fees, etc.—(1) If the fee leviable under sub-section (1) of section 358 is not paid on demand, the person appointed to collect such fee may seize and detain such portion of the appurtenances or load of such cart, carriage, motor vehicle, or animal as will, in

his opinion, suffice to defray the amount due; in the absence of any such appurtenances or load or in the event of their value being insufficient to defray the amount due, he may seize and detain the cart, carriage, motor vehicle, or animal.

(2) All property seized under sub-section (1) shall be sent within twenty-four hours to the commissioner or to such person as he may have authorised to receive and sell such property and the commissioner shall forthwith give notice to the owner of the property seized or if the owner is not known or is not resident within the city, to the person who was in charge of such property at the time when it was seized or if such person is not found, give public notice that after the expiry of two days, exclusive of Sunday, from the date of service or publication of such notice, the property will be sold in public auction at a place to be specified in the notice.

(3) If at any time before the sale has begun, the amount due on account of the fee, together with the expenses incurred in connection with the seizure, detention and proposed sale is tendered to the commissioner or other person authorised as aforesaid, the property seized shall be forthwith released.

(4) If no such tender is made, the property or a sufficient portion thereof may be sold and the proceeds of the sale applied to the payment of,—

- (i) the amount due on account of the fee ;
- (ii) such penalty not exceeding the amount of the fee as the commissioner may direct ;
- (iii) the expenses incurred in connection with the seizure, detention and sale.

(5) If, after making the payments referred to in sub-section (4) there is any surplus sale proceeds or any property remaining unsold, the same shall be paid or delivered to the owner or other person entitled thereto.

361. Licence for private cart-stand.—(1) No person shall open a new private cart-stand or continue to keep open a private cart-stand unless he obtains from the commissioner a license to do so.

(2) Applications for such licence shall be made by the owner of the place in respect of which the licence is sought not less than thirty days before such place is opened as a cart-stand or not less than thirty days before the commencement of the year for which the licence is sought to be renewed as the case may be ;

(3) The commissioner shall, as regards private cart-stands already lawfully established and may, at his discretion as regards new private cart-stands, grant the licence applied for, subject to such regulations as to supervision and inspection and to such conditions as to conservancy as he may think proper, or he may refuse to grant any such licence for any new private cart-stand. The commissioner may, at any time for breach of the conditions thereof, suspend or cancel any licence which has been granted under this section. The commissioner may also modify the conditions of the licence to take effect from a specified date.

(4) When a licence is granted, refused, suspended, cancelled, or modified under this section, the commissioner shall cause a notice of such grant, refusal, suspension, cancellation or modification, in English and Kannada, to be posted in some conspicuous place at or near the entrance to the place in respect of which the licence was sought or had been obtained.

(5) The commissioner may levy for every licence granted under this section a fee not exceeding six hundred rupees per annum :

Provided that no fee shall be levied in respect of a licence for a cart-stand for the use of which no charge is made.

(6) Every licence granted under this section shall expire at the end of the year for which it is granted.